

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CASE NO. 1:14-CV-954**

**STUDENTS FOR FAIR
ADMISSIONS, INC.,**

Plaintiff,

v.

**UNIVERSITY OF NORTH
CAROLINA et al.,**

Defendants.

**DEFENDANTS' SUPPLEMENTAL
INITIAL DISCLOSURES**

Pursuant to Fed. R. Civ. P. 26(a)(1), Defendants the University of North Carolina et al. hereby supplement their Initial Disclosures submitted May 20, 2015 (the "Initial Disclosures"). Defendants state that discovery in this case remains ongoing and they reserve the right to further supplement and amend their disclosures as necessary and appropriate, including to add additional witnesses and documents.

I. Individuals with Discoverable Information Defendants May Use to Support Their Defenses

In addition to the individuals disclosed in Defendants' Initial Disclosures, Defendants may use the following individuals to support their defenses:

A. Individuals Associated with Plaintiff

1. Applicants identified by Plaintiff in its response to Defendants' First Interrogatories

c/o Plaintiff's Counsel

Believed to have information regarding their applications for admission to the University, qualifications for admission to the

University, including but not limited to high school grades, class rank, standardized test scores, extracurricular activities, and other pertinent factors. These Applicants also have information regarding his or her plans to transfer to the University and any harm he or she allegedly suffered as a result of the University's undergraduate admissions policy.

2. Students for Fair Admissions, Inc. ("SFFA") Board Members

c/o Plaintiff's Counsel

Believed to have information regarding SFFA's sources of funding, membership, structure, governance, purpose, mission, business activities; and any harm alleged in the Complaint. These individuals are also believed to have information about how they were recruited or solicited to join SFFA and what, if any, role they play in the organization.

3. Future Applicants identified by Plaintiff in its response to Defendants' First Interrogatories

c/o Plaintiff's Counsel

Believed to have information regarding their intent to apply for admission to the University and their qualifications for admission. These individuals are also believed to have information about how they were recruited or solicited to join SFFA and what, if any, role they play in the organization.

B. Individuals Associated with Defendants

University Office of Undergraduate Admissions Personnel

1. Michael Davis, Associate Director for Recruitment

c/o Defendants' Counsel

Information regarding the Office of Undergraduate Admissions' recruitment of prospective applicants, efforts to increase the enrollment of admitted students, the evaluation and selection of admitted applicants for scholarship awards, and the evaluation of applications for undergraduate admission to the University.

Other University Officers, Faculty, Staff, and Students

2. Felicia Washington, Vice Chancellor for Workforce Strategy, Equity, and Engagement

c/o Defendants' Counsel

Information regarding the importance of diversity to achieving the University's mission; the University's efforts to recruit and retain diverse students; the University's efforts to create a diverse and inclusive campus, including diversity programming; and the University's recognition of the educational benefits of diversity.

3. Chris Faison, Coordinator of Men of Color Engagement, University Center for Student Success and Academic Counseling

c/o Defendants' Counsel

Information regarding the University's efforts to retain underrepresented minority students, efforts to create a diverse and inclusive campus, and the University's efforts to realize the educational benefits of diversity.

4. Marcus Collins, Associate Dean of the Center for Student Success & Academic Excellence

c/o Defendants' Counsel

Information regarding the University's efforts to retain underrepresented minority students, efforts to create a diverse and inclusive campus, and the University's efforts to realize the educational benefits of diversity.

5. Jonathan Sauls, University Dean of Students for Student Affairs

c/o Defendants' Counsel

Information regarding how a diverse undergraduate student body and environment complements and enriches the broader University student experience.

6. Kevin Guskewicz, Dean of College of Arts and Sciences

c/o Defendants' Counsel

Information regarding how a diverse undergraduate student body and environment yields educational benefits and complements and enriches academic discourse and work; why a diverse student body is critical to helping the University achieve its educational, research, and service mission; the University's efforts to create a diverse and inclusive campus; and the University's efforts to realize the educational benefits of diversity.

7. Abigail Panter, Senior Associate Dean of College of Arts and Sciences

c/o Defendants' Counsel

Information regarding how a diverse undergraduate student body and environment yields educational benefits and complements and enriches academic discourse and work; why a diverse student body is critical to helping the University achieve its educational, research, and service mission; the University's efforts to create a diverse and inclusive campus; and the University's efforts to realize the educational benefits of diversity. Dr. Panter also has knowledge of the University's institutional assessment of diversity and the University's consideration of race-neutral alternatives to the admissions process.

8. Rumay Alexander, Interim Chief Diversity Officer

c/o Defendants' Counsel

Information regarding how a diverse undergraduate student body and environment yields educational benefits and complements and enriches academic discourse and work; why a diverse student body is critical to helping the University achieve its educational, research, and service mission; the University's efforts to create a diverse and inclusive campus; and the University's efforts to realize the educational benefits of diversity.

9. Current and former members of the University Board of Trustees with knowledge of the educational benefits of diversity and knowledge of the University's mission, history, and commitment to diversity. Defendants will supplement its disclosures when the identity of these witnesses is ascertained.

10. Current and former University faculty members with knowledge of the educational benefits of diversity; knowledge regarding how a

diverse undergraduate student body and environment yields educational benefits and complements and enriches academic discourse and work; and why a diverse student body is critical to helping the University achieve its educational, research, and service mission. Defendants will supplement its disclosures when the identity of these witnesses is ascertained.

11. Current and former University students with knowledge of the educational benefits of diversity; knowledge regarding how a diverse student body enriches the student experience and yields educational benefits; and the importance of a diverse student body to students at the University. Defendants will supplement its disclosures when the identity of these witnesses is ascertained.
12. Current and former University administrators, faculty members, staff, alumni, and friends of the University with information regarding the importance of a diverse undergraduate student body to assist the University in its mission to create future leaders and prepare students for professional, business, service, military and other opportunities and the importance of a diverse undergraduate student body to potential employers of University students. Defendants will supplement its disclosures when the identity of these witnesses is ascertained.
13. Current and former University administrators, faculty members, and staff with information regarding the financial aid and scholarships provided by the University to its undergraduate students, including, but not limited to the Carolina Covenant program. Defendants will supplement its disclosures when the identity of these witnesses is ascertained.
14. Current and former University administrators, faculty, staff, students, and friends of the University with information Defendants pertinent to the claims and defenses who have not yet been discovered.

II. Categories and Location of Documents Defendants May Use to Support Their Defenses

In addition to the categories of documents identified in Defendants' Initial Disclosures, Defendants may use the following categories of documents to support their defenses:

1. Aggregate data and related reports regarding the University's undergraduate admissions decisions for classes that entered in the fall 2012 through the present;
2. The University's written undergraduate admissions policies and procedures applicable to the entering class for the fall 2014 through the present;
3. Written guidance provided to evaluators of applications for admission to the University for the entering class of fall 2014 through the present;
4. Documents related to applicant files for first-year undergraduate admission to the University for the entering class of fall 2014 through the present;
5. Data regarding scholarships and financial aid provided to the entering class of fall 2014 through the present;
6. Documents related to the importance of diversity to the University's mission;
7. Documents related to the University's consideration of race-neutral admission alternatives;
8. Documents related to the University's identification of and institutional assessment of the educational benefits of diversity; and
9. Information about diversity and the educational benefits of diversity available on the University's website.

All documents are believed to be at the University and will be made available upon request to Defendants' counsel.

Submitted September 28, 2016

/s/ Michael Scudder
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